

REMARKS

Claims 14 to 16 are pending in the application. Claims 14 to 16 have been amended. No new matter has been added. Support for the amendments can be found at page 11, lines 24 – 34, and Figure 7 of the original disclosure.

Applicant thanks Examiner Hand for her consideration and thoughtful discussion of the cited art during a telephone conference on May 30, 2008. In accordance with that discussion, claim 14 has been amended to clarify that the one or more side panels of the absorbent pad cover at least a portion of a side of the container in which the absorbent pad is placed.

Claim 16 is rejected under 35 U.S.C. §112, 2nd paragraph, as being unclear which "top sheet" and "bottom sheet" are meant in line 3 of claim 16.

Claim 16 has been amended to clarify that the top sheet and bottom sheet recited in claim 16 refer to the top sheet of the base panel and the bottom sheet of the base panel. In view of the amendment, Applicant respectfully requests that the §112 rejection to claim 16 be reconsidered and withdrawn.

Claims 14 – 16 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,275,591 to Mavinkurve (hereinafter, "Mavinkurve").

Independent claim 14 recites an absorbent pad for placement in a container comprising a base panel and one or more side panels hingeably connected to the base panel. The one or more side panels each further comprise a top sheet, a bottom sheet, and one or more islands disposed between the top sheet and the bottom sheet of the one or more side panels. Also, the one or more side panels cover at least a portion of a side of the container in which the absorbent pad is placed.

Mavinkurve discloses a “winged” sanitary napkin having a central absorbent element 11 and two flaps containing absorbent material 20 and 22 that extend laterally from the longitudinal sides of the central absorbent element. The absorbent areas of the two flaps are sealed off from the central absorbent area by “body fluid barrier seals” 10, so that body fluids absorbed by the central absorbent area are not transmitted by wicking through the absorbent material into the flaps (col. 7, lines 4 – 12). In addition, the two flaps can be sealed around the periphery so that the flaps are a sealed “absorbent reserve” (col. 5, lines 9 – 13).

However, Mavinkurve fails to disclose side panels that cover at least a portion of a side of a container in which the absorbent pad is placed; i.e., the two side flaps in Mavinkurve do not cover a portion of the side of a container (the human body) in which the sanitary napkin is placed. Instead, Mavinkurve

discloses a sanitary napkin having “undergarment protecting flaps” that are structured to wrap around the outer crotch portion of an undergarment (col. 8, lines 9 – 16) to protect the undergarment from staining by body fluids.

Therefore, Mavinkurve fails to disclose or suggest an absorbent pad having side panels that cover at least a portion of a side of a container in which the absorbent pad is placed, as in claim 14. The configuration of side panels in claim 14 is particularly advantageous when it is critical that the integrity of both the bottom and the sides of the container be maintained. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejection to claim 14.

For dependent claims 15 and 16, Mavinkurve likewise fails to disclose or suggest the claims for at least the same reasons as provided above for claim 14. Thus, Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejections to claims 15 and 16 over Mavinkurve.

Applicant previously canceled claims 1 through 13 and claims 17 through 29 in order to facilitate issuance of this application into a patent, and reserves the right to file a continuation application directed to these claims.

In view of the above, Applicant respectfully requests passage of claims 14 through 16 to allowance.

If for any reason the Examiner feels that consultation with Applicant's attorney would help advance this prosecution of this application, the Examiner is invited to call the telephone number below.

Respectfully submitted,

July 16, 2008
Date



Charles N.J. Ruggiero
Reg. No. 28,468
Attorney for Applicant
Ohlandt Greeley Ruggiero & Perle, LLP
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
tel: (203) 327-4500
fax: (203) 327-6401